

CHILD CARE LICENSING ADVISORY COMMITTEE MINUTES

19 November 2009

Utah State Library for the Blind 250 North 1950 West Room 227

Salt Lake City, Utah

Members Present: David Rothschild, Pat Marino, Ed Dieringer, Diane Wilkinson, and Leslie Hjorth

Members Excused: Michael Libeck, Jodi Jensen, Dale Smith and Julie Shakib

Members Absent: Carol Thompson and Heide Radeke

Bureau Staff Present: Teresa Whiting, Nan Streeter, Donna Thomas, Colleen Murphy, Joyce Hastings, Karrie Phillips, and Joan Isom

Mr. Smith could not attend so Mr. Rothschild conducted the meeting.

REVIEW AND APPROVAL OF MINUTES

Since there was not a quorum of committee members present, Mr. Rothschild moved the review of past meeting minutes to the next meeting.

OLD BUSINESS

Update on rule amendments

Ms Whiting reported that the previously discussed amendments to the Background Screening (R430-6), Exemptions (R430-8) and Out of School Time Programs (R430-70) have been filed and are now open for public comment. Copies of the documents were distributed and reviewed.

Update on Voluntary Quality Recognition Program

Mr. Marino and Ms. Wilkinson reported on the subcommittee's meetings and handed out a table entitled Draft Suggestions for a Licensing Quality Recognition Program. They also said they are going to split into two subcommittees. One will be for those interested in child care centers and one for those interested in home child care.

Janis Dubno from Voices for Utah Children asked if there can be a phone in option for individuals who cannot attend meetings in person but want to be involved. Unfortunately the subcommittee meets after business hours in the Cannon Building and this service is not available

during those hours. Mr. Marino stated that the meeting time for those interested in child care centers is going to change to late afternoons and the phone in option may be available at that time. Ms. Wilkinson stated that the meeting time for those interested in home child care will remain in the evenings.

Ms. Taylor-Christensen from the Office of Child Care commented that the basic threshold for the program will be that providers have no cited findings for the previous year. This will mean that providers will not be able to participate until they have been regulated for a full year. There was some concern raised about this. Ms. Whiting explained that we cannot predict future performance so ratings must be based on past performance.

Janice Dubno asked if minutes from the meeting can be sent to interested parties. Ms. Hastings explained that no minutes have been taken since everything is still in the discussion stage and no decisions have been made.

Mr. Dieringer praised the committee for their progress and the completion of the draft document.

NEW BUSINESS

Additional Bureau Activities

Ms. Whiting explained the reorganization of the Bureau and that it is now called the Bureau of Child Health & Safety/Child Care Licensing, within the new Division of Family Health & Preparedness. The Bureau now includes the State Head Start Collaboration Office, the Early Childhood Systems Grant, and the Children's Mental Health Initiative. She introduced Nan Streeter, who is the Deputy Director of the Division of Health and Family Preparedness.

Center Playground Inspection Process

Mr. Rothschild asked questions about findings he received during his playground inspection, specifically findings for protrusion and strangulation hazards.

Ms. Whiting explained that she cannot address specific findings from his inspection without knowing the details of those findings and talking with the Licensing Specialist, but encouraged him to request an informal discussion to address the questions he has. Ms. Whiting explained that all playground inspections are done by Licensors who are certified playground inspectors. She further explained that our rules are based on CPSC and ASTM standards which use data from injuries of children on playgrounds. She explained that our rules are not reflective of all CPSC and ASTM standards, never go above those standards, and in some cases are less than those standards.

Update to Rule Interpretation Manuals

Ms. Thomas reported on the following updates:

Center Interpretation Manual:

- The following was added to determining what is a room for Direct Supervision :
 - When measuring an archway between two different sized rooms, measure the wall in the bigger room.
 - "Standard doorway" was replaced with a "doorway that is 36 inches".
 - When caregivers need to be on each side of a divided room "includes diaper changing stations that are located behind a closed gate."
- The following definition of compensation was added: Direct or indirect compensation means that there is a user charge or fee for the care provided.
- To the rule about 20 hours of annual training, the following was added : A substitute is someone who gives care on an irregular or sporadic basis; someone with a regular schedule, such as someone who daily helps out when staff breaks is not a substitute.
- To the rule about first aid and CPR certification, the following was added: The expiration date on the card determines whether the certification is current.
- To the rule about supervision on the playground, the following was added: If there are separate playgrounds and not an open gate between them, there must be a care giver in both playgrounds.
- To the rule about latex gloves being accessible to children, the following was added: This rule does not apply to unopened boxes of latex gloves.
- To the rule about handwashing, the following was added: Warm water must be at least 60 degrees.
- To the rule about paper towels, the following was added: This rule does not apply to paper towels used for activities other than drying hands, such as cleaning up spills.
- To the rule about storage of non- refrigerated medications, the following was added: Vicks is not a topical antiseptic. It is a medication and needs to be stored in a container or area that is locked.
- To the rule about the storage of non-refrigerated medications, the following was also added: *Prescription* diaper cream, teething gel, etc. needs to be in a locked area or room.

Home Rule Interpretation Manual:

- The following was added to the introduction: The manual is for licensed and certified family child care providers.
- The following definition of compensation was added: Direct or indirect compensation means that there is a user charge or fee for the care provided.
- Vitamins was added to the definition of over the counter medication.
- "Depending on the height of the equipment" was taken out of the definition of stationary play equipment.
- Having a door or curtain was added to a way to ensure privacy for school age children when using the bathroom.
- To the rule about the maintaining ceilings, walls, floor coverings, draperies, blinds, furniture, fixtures, and equipment in good repair "exposed" fiberglass was changed to "accessible" fiberglass.
- To the rule about hazards in the outdoor area, the following was added: strangulation hazards that are within 48 inches of the ground and fountains, birdbaths, etc, that a child's head could fit into.
- To the rule about ladders near the trampoline, the following was added: Little Tykes ladders

are considered ladders.

- To the rule about the cushioning, the following was added: F1292 was added to the ASTM standard.
- To the rule about the provider being present at the home at least 50% of the time children are in care, the following was added: This rule does not pertain to vacation or sick leave.
- To the rule about emergency medical treatment and emergency medical transportation, the following was added: This is required even if the provider does not provide transportation.
- For first aid and CPR certification, the following was added: The expiration date on the card determines whether the certification is current.
- To the rule about direct supervision, the following was added: If friends of the provider's children are present during child care hours, they will not be counted in the maximum capacity and provider to child ratios if all of the following conditions are met: the friend(s) are four or older; the provider is not being compensated (directly or indirectly) for having the friend(s) at the home, and the friend(s) can leave on their own and go home at any time without needing a ride or someone to walk with him/her.
- To the rule about firearms, the following was added: Firearms include guns, muzzle loaders, hand guns, BB guns, and Airsoft guns.
- To the rule about bags, latex gloves, and balloons, the following was added: If an item is at the back of a counter that is at least 36" high and 2' deep, the item will be considered inaccessible to children.
- To the rule about tight fitting mattresses, the following was added: Mattresses in Porta Cribs do not have to be tight fitting.

PUBLIC COMMENTS

There were no public comments.

The meeting was not officially adjourned as there was not a quorum. Since there was no further business for discussion or public comments, the meeting ended at 11: 45.